

Review of Political Balance and Allocation of Seats to Political Groups

Corporate Priority:	All
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No

1 Summary

- 1.1 To approve the revised political balance calculations and allocation of seats on committees in accordance with statutory requirements (as set out in the report) following recent changes which alter the political balance between the Groups.

2 Recommendations

That Council:

- 2.1 Approves the political balance calculation set out at paragraph 5.1;
- 2.2 Approves the allocation of committee seats to political groups as set out in paragraph 5.2 and notes the membership of each committee as set out in Appendix A;

3 Reason for Recommendations

- 3.1 To ensure that the council complies with its statutory obligations under the Local Government and Housing Act 1989.

4 Background

- 4.1 A notice of vacancy for the Long Clawson and Stathern ward was published on 21st September 2022. To date no election has been called.

- 4.2 On 23 September 2022, the Proper Officer was notified that Councillor Leigh Higgins should no longer to be treated as a member of the Conservative Group. On 05 October 2022 the Proper Officer received the paperwork in accordance with the requirements set out in Regulation 10 of the Local Government (Committees and Political Groups) Regulations 1990. Councillor Higgins was therefore deemed a non-aligned Councillor from 05 September 2022.
- 4.3 Pursuant to Section 15 of the Local Government and Housing Act 1989 the authority is under a duty to review the allocation of seats to Political Groups as soon as practicable following a change to the membership of those groups.
- 4.4 The Councils' duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet and the Licensing Committee. The purpose is to ensure that there is proportionality across all formal activities of the Council, representing the overall political composition. It affects all formally constituted panels, committees and subcommittees which discharge functions on behalf of the authority.
- 4.5 The political proportionality rules that apply in allocating seats on Committees etc. set out in Section 15 and 16 of the Local Government and Housing Act 1989 apply only to political groups and not non-aligned (un-grouped) Members. Main Considerations

5 Main Considerations

- 5.1 The revised composition of the Council (*not including the non-aligned members of which there are currently 4) is shown in the following table. Using 38 as the total number of voting places across all committees, the final column shows the total number of places each group is entitled to, using the calculated proportions.

Group Name	No of Cllrs in group	Percentage across the Council	Allocation of Seats over 4 Committees 38 seats	
			Decimal	Rounded no
Conservative	19	82.61%	31.39	31
Opposition	4	17.39%	6.60	7
Totals	24*	100%	38 seats	38 seats

- 5.2 The allocations set out in the table below show the allocation of seats to political groups (not including the non-aligned councillors) as agreed between the political groups **BEFORE THE REVISION TO THE POLITICAL BALANCE CALCULATION:**

Group Name	Audit & Standards	Planning	Scrutiny	Employment	TOTAL
Conservative	8 (8.40)	9 (9.24)	9 (8.40)	6 (5.88)	32
Opposition	2 (1.60)	2 (1.76)	1 (1.60)	1 (1.12)	6
Totals	10	11	10	7	38

- 5.3 The allocations set out in the table below show the allocation of seats to political groups (not including the non-aligned councillors) as agreed between the political groups **AFTER THE REVISIONS TO THE POLITICAL BALANCE CALCULATION:**

Group Name	Audit & Standards	Planning	Scrutiny	Employment	TOTAL
Conservative	8 (8.26)	9 (9.09)	8 (8.26)	6 (5.78)	31
Opposition	2 (1.74)	2 (1.91)	2 (1.74)	1 (1.22)	7
Totals	10	11	10	7	38

- 5.4 Group Leaders have provided notification of allocation of seats to members as detailed in Appendix A.

6 Options Considered

- 6.1 The Council must review its political balance and allocation of seats as soon as practicable following a change to political groups in accordance with the legislation.

7 Consultation

- 7.1 The information presented in this report has been compiled in consultation with Group Leaders.

8 Next Steps – Implementation and Communication

- 8.1 Any changes to membership of Committees will be reflected on the Council’s website page for each Committee.
- 8.2 Any mandatory training requirements will be considered and arranged as necessary for respective members.

9 Financial Implications

- 9.1 There are no financial implications arising from this report.

Financial Implications reviewed by: Deputy s151 officer

10 Legal and Governance Implications

- 10.1 The Council must allocate seats on committees so as to give effect to the political balance rules.
- 10.2 The allocation of seats shall conform to the principles of proportionality contained in sections 15 and 16 of the Local Government and Housing Act 1989. There is a duty to give effect to the following principles, as far as reasonably practicable, in the order shown:
- a) Not all the seats on the body are allocated to the same political group
 - b) A majority of the seats on a body are allocated to a group if it comprises a majority of the total membership of the authority;
 - c) Subject to (a) and (b) above, that the number of seats on ordinary committees allocated to each group bears the same proportion to the total of all seats on ordinary committees as is borne by the number of members of that group to the total membership of the authority; and

d) Subject to (a) to (c) above, that the number of seats on a body allocated to each group bears the same proportion to the number of seats on that body as is borne by the number of members of that group to the total membership of the authority.

For political balance, a group is required to have at least two members in order to be formally constituted as a political group.

- 10.3 The political proportionality rules that apply in allocating seats on Committees etc. set out in Section 15 and 16 of the Local Government and Housing Act 1989 apply only to political groups and not non-aligned (un-grouped) Members. Alternative arrangements not complying with section 15 and 16 of the 1989 Act may be made by virtue of Section 17 of the 1989 Act by passing a resolution with no member voting against the resolution.

Legal Implications reviewed by: Monitoring Officer

11 Equality and Safeguarding Implications

- 11.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

12 Community Safety Implications

- 12.1 There are no community implications arising from this report.

13 Environmental and Climate Change Implications

- 13.1 There are no environmental or climate change implications arising from this report.

14 Risk & Mitigation

- 14.1 The Council would be in breach of its statutory and constitutional obligations if it fails to consider the business contained within this report.

15 Background Papers

- 15.1 There are no background papers.

16 Appendices

- 16.1 Appendix A – Committees Memberships 2022/23 (October 2022)

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